

Appln No. 09/765,535
Amdt date October 6, 2006
Reply to Office action of April 6, 2006

REMARKS

Claims 1-15 and 17-29 are pending in the present application. Claims 1-21, 23, and 26-28 are amended herein. Claim 29 is added herein. No new matter has been added. In view of the above amendments and remarks that follow, reconsideration and an early indication of allowance of Claims 1-15 and 17-29 are respectfully requested.

Independent claims 1, 12, and 17 have been fairly extensively amended to remove language that may have given rise to an incorrect interpretation that certain passages are “step plus function” elements. Corresponding amendments have also been made to the claims dependent on claims 1, 12, and 17 to follow changes in the antecedent basis made to the parent claims. Additional grammatical and minor antecedent basis errors have also been corrected throughout all of the claims. None of the step plus function clarification, grammatical or antecedent basis amendments are made in response to a rejection, due to patentability reasons or otherwise, and are not intended to narrow the claims.

Claims 1-11, 26, and 29.

Claim 1 stands rejected under 35 U.S.C. §103(a) as allegedly obvious and unpatentable over U.S. Patent No. 6,360,205 issued to Iyengar et al. (herein after "Iyengar") in view of U.S. Patent No. 5,932,454 issued to Jafri et al. (hereinafter "Jafri").

Turning to the art used in the rejection of Claim 1, Iyengar discusses a system that, among other things, connects to a number of travel product websites, performs a price inquiry at each website on behalf of a user, and presents the results to the user. (*See, e.g.*, Abstract; Fig. 8.)

The Examiner generalized Jafri as disclosing, “a system and method wherein travel alternatives are automatically generated by altering information on travel information input by and received from the user (col 5, lines 2-60.)” The portion of the disclosure cited by the Examiner, though, is not generic to any type of travel product, but is specific to airline flights and itineraries. Later in the disclosure, Jafri discussed using a similar process for hotels or rental

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cars, but discloses these processes as separate and after the airline process is complete (col. 6, lines 46-47).

Applicant's Claim 1, as amended, states, "determining a cost of each of the plurality of types of travel products by searching an electronic database using the received information;" and "determining alternative travel products to offer the user by accessing an electronic discount database based on at least one alternative criteria, wherein the at least one criteria is determined by automatically altering the information for at least one of the plurality of types of travel products received from the user."

Neither Iyengar nor Jafri, alone or in combination, disclose these two elements. One of the potential advantages of the claimed method is that changes made to one type of travel product, for example, the length of a trip, may affect the cost of other types of travel products in different ways. For example, lengthening a trip may increase hotel costs but reduce airline costs due to a Saturday night stayover. Iyengar and Jafri do not contemplate make allowance for such complication.

Accordingly, Claim 1 is believed to be allowable. Since Claims 2-11, 26, and 29 depend, directly or indirectly, from Claim 1 and contain additional elements that are patentably distinguishable over the references of record, Claims 2-11, 26, and 29 are also believed to be allowable.

Claims 12-16, 21-29

Similar to claim 1, independent claims 12, 14 and 21 each involve determining costs of a plurality of types of travel products and exploring alternatives. As with claim 1, Iyengar and Jafri do not disclose such systems and methods.

Accordingly, claims 12, 14, and 21 are believed to be allowable. Since Claims 13, 15-16, 22-25, and 27-28 depend, directly or indirectly, from claims 12, 14, or 21 and contain additional elements that are patentably distinguishable over the references of record, Claims 13, 15-16, 22-25, and 27-28 are also believed to be allowable.

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Claims 17-20

The Office action indicates that Claim 17 was rejected for substantially similar reasons as Claim 1. (Office action, Page 9.) However, the portions of Iyengar and Jafri cited in relation to Claim 1 do not appear to teach or suggest the elements of Claim 17. By way of example, neither Iyengar nor Jafri appear to disclose "accessing a discount database to determine alternative travel products to offer the user using search criteria automatically generated from the information received from the user" as in Claim 17.

Therefore, Claim 17 is believed to be allowable. Since Claims 18-20 depend from Claim 17 and contain additional elements that are patentably distinguishable over the references of record, Claims 18-20 are also believed to be allowable.

Conclusion

In view of the foregoing, it is believed that all Claims now pending, namely Claims 1-15 and 17-29 are in condition for allowance and reconsideration of the Office action dated April 6, 2006 is respectfully requested.

If a telephone conference would be helpful in resolving any issues concerning this communication or any other remaining issues, the Examiner is cordially invited to call Applicant's attorney of record at the number listed below.

Respectfully submitted,
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